

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

05-CR-6161L

v.

CHARLES SCHWAB,

Defendant.

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Defendant, Charles Schwab ("Schwab"), was convicted after entry of a guilty plea, pursuant to a plea agreement, and was sentenced by this Court on February 20, 2009, principally to a term of 144 months. The Court did allow Schwab to voluntarily surrender, and he has now been notified by the Bureau of Prisons to surrender to the Ft. Dix Federal Correctional Institution on April 14, 2009.

Schwab now moves to stay that surrender date so that he may participate in a hearing concerning restitution, currently scheduled for May 11, 2009. The Government opposes the motion.

As the Government notes, Schwab does have a right to be present at the restitution phase of the case, but he can be transported to the Court from his assigned federal correctional institution.

Therefore, the motion to stay the surrender date is denied.

IT IS SO ORDERED.



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DAVID G. LARIMER

United States District Judge

Dated: Rochester, New York  
April 13, 2009.